IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE N/S Michael Lane, 25' E of the * ZONING COMMISSIONER c/l of McKenna Court (2506 Michaels Lane) * OF BALTIMORE COUNTY 9th Election District 6th Councilmanic District * Case No. 91-389-A Richard S. Cook, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

The Petitioners herein request a variance to permit a side yard setback of 5 feet in lieu of the required 10 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

> **AFFIDAVIT** 91-389-A

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with

That the Affiant(s) does/do presently reside at 2506 MICHELS 14 Earth, MD 21734

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) ettind exilling (And drug line had to an il frem to property les - 10h Carding and will incited then Septem the property Uni That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a

AFFIANT (Handwritten Signature)

reposting and advertising fee and may be required to provide additional information. AFFIANT (Handwritten Signature) BOING F. COCK AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best

of his/her/their knowledge and belief. AS WITNESS my hand and Notarial Seal.

My Commission Expires: 7-1-92

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore May of May, 1991 that the Petition for Residential Variance to permit a side yard setback of 5 feet in lieu of the required 10 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restric-

original condition.

property to insure compliance with this Order.

- 2-

We are in need of this additional

space to assist with our growing-family needs we also need the

Office space to accompatate our

computer

teaching-related materials and

in this direction because of the

diring area - family area) of

we were to go in the apposite

to remove our existing kitchen

Although we are close to our

neighbor's property line, we will

have our addition alongside their

driveway and not their home.

for the additions, we realized that

we would noted a variance in

any direction we went.

When considering other locations

direction, me would be riguired

. We need to take the addition

travel flow of our house (kutcher)

JRH:bjs

111 West Chesapeake Avenue Towson, MD 21204 May 20, 1991 Mr. & Mrs. Richard S. Cook tions which are conditions precedent to the relief granted: 2506 Michaels Lane Baltimore, Maryland 21234 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; RE: PETITION FOR RESIDENTIAL VARIANCE however, Petitioners are hereby made aware that pro-N/S Michaels Lane, 25' E of the c/l of McKenna Court ceeding at this time is at their own risk until such (2506 Michaels Lane) time as the 30-day appellate process from this Order 9th Election District - 6th Councilmanic District has expired. If, for whatever reason, this Order is Richard S. Cook, et ux - Petitioners reversed, the Petitioners would be required to return, Case No. 91-389-A and be responsible for returning, said property to its Dear Mr. Cook: 2) Petitioner shall not allow or cause the proposed Enclosed please find a copy of the decision rendered in the addition to be converted to a second dwelling unit above-captioned matter. The Petition for Residential Variance has been and/or apartments. The subject dwelling shall contain granted in accordance with the attached Order. only one kitchen. In the event any party finds the decision rendered is unfavor-3) Upon request and reasonable notice, Petitioners able, any party may file an appeal to the County Board of Appeals within shall permit a representative of the Zoning Enforcethirty (30) days of the date of this Order. For further information on ment Division to make an inspection of the subject filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

for Baltimore County

91-389-A

060 PETITION FOR RESIDENTIAL VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

cc: People's Counsel

| the | | - | | | • | | | | | | h is described Section | |
|-----|-----|-----|---|-----|-----|-------|-----|-----|-------------|-------|---------------------------|--|
| , | BOA | 3 1 | / | T/2 | PFI | 2M 17 | - A | 517 | | I/ADT | (=TO o e l | |

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Very truly yours,

Zoning Commissioner

for Baltimore County

887-3353

OF 5 FT. IN LIEU OF THE REQUIRED 10FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (indicate hardship or practical difficulty) TO EXTEND EXISTING BUILDING LINE BY AN ADDITION TO LEGS THAN 10' OF THE PROPERTY LINE. (THE NEW BUILDING LINE WILL BE NO LESS THAN 5' FROM THE PROPERTY LINE. Space to ussist our growing children. We also property to to be advertised and of prescribed by zoning Regulations. Teaching related

of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. in this chiedich because of the tillucide do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal flow of our house, . ! Kitchen > owner(s) of the property which is the subject of dining area -> tomally area)

Legal Owner(s): RICHARD S. COOK BONNIE F. COOK Barrier of Colori

2506 MICHELS LANE 661-6198 purchaser or representative to be contacted. RICHARD S. LOOK ASDG MICHECS LA. 661-6198
Address BALTO, MB 21234 Phone

ORDERED by the Zoning Commissioner of Baltimore County, this 3PD day of Appli. 18 91, that the subject matter of this petition be posted on the property on or before the 17 Th day of APRIL, 19 91.

ZONING COMMISSIONER OF BALTIMONE COUNTY

200 CASH U-3-91

in Roose 108, County Office Building in Towson, Baltimore County, on the _____ day of ______. 19_____.

PETITION FOR RESIDENTIAL VARIANCE

91-389-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The understaned least a

| 150736 | Count 1 can and |
|---|--|
| _ actuals on E.M. | |
| | NE JO |
| of the Zoning Regulations of Baltimore County, to (indicate hardship or practical difficulty) | the Zoning Law of Baltimore County, for the following reason: |
| - | |
| | in attitution of |
| Property is to be advertised and/or posted as | s prescribed by Zoning Regulations. |
| I, or we, agree to pay expenses of the above of this petition, and further agree to and are to Baltimore County adopted pursuant to the Zoning Le | e Variance posting and, if necessary, advertising, upon filing be bound by the zoning regulations and restrictions of aw for Baltimore County. |
| | I/We do solemnly declare and affirm, under the |
| | penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. |
| Contract Purchaser: | owner(s) of the property which is the subject of |
| | owner(s) of the property which is the subject of this Petition. |
| (Type or Print Name) | <pre>owner(s) of the property which is the subject of this Petition. Legal Owner(s):</pre> |
| (Type or Print Name) Signature | owner(s) of the property which is the subject of this Petition. Legal Owner(s): (Type or Print Manus) |
| (Type or Print Name) Signature Address City/State/2ip Code | owner(s) of the property which is the subject of this Petition. Legal Owner(s): (Type or Print Name) Signature |
| (Type or Print Name) Signature Address City/State/2ip Code | owner(s) of the property which is the subject of this Petition. Legal Owner(s): (Type or Print Name) Signature (Type of Print Name) |
| Contract Purchaser: (Type or Print Name) Signature Address City/State/ilp Code Attorney for Petitioner: (Type or Print Name) | owner(s) of the property which is the subject of this Petition. Legal Owner(s): (Type of Print Name) Signature Signature Address Phone |
| (Type or Print Name) Signature Address City/State/2ip Code Attorney for Petitioner: (Type or Print Name) | owner(s) of the property which is the subject of this Petition. Legal Owner(s): (Type or Print Name) Signature Signature |
| (Type or Print Name) Signature Address City/State/2ip Code Attorney for Petitioner: | owner(s) of the property which is the subject of this Petition. Legal Owner(s): (Type or Print Name) Signature Address Phone |

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

ZONING COMMISSIONER OF BALTIMORE COUNTY

382

We are in great med if this additional space to assist winth our growing family made. We also need the "office space" to accomplate our leaching-related materials and computer

in pied to take the poddition in this direction because of the thrul flow of our house (ketchen -> diving prea -> family area) of we were to go in the opposite direction, un mouid le required to bemove our existing kitchen.

althought we are wry- close to our neighbors property line, we will have our addition alongside their driveway and most than home, We would need a variance in

any direction that an addition would go.

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at 2506 MICHELS LANE, BALTO, MD 31234
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)

TO EXTENT EXISTING BUILDING LINE TO LLSS THAN 10' FROM THE PROPERTY LINE. THE NEW BUILDING, LINE WILL BE NO LEGS THAN 5' FROM THE PROPERTY LINE.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

AFFIANT (Printed Name)

AFFIANT (Handwritten Signature)

AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

HEREBY CERTIFY, this _____ day of _____ day of _____, 19____, before me, a betary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

新ご編立 2007 200 200 2007

BETTANDENCOPOSCOPIEX KNOWN AND DESIGNATED as Lot No. 8, as shown on Plat entitled First Amended Plat of Kings Orchard, which plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K. Jr. 43 folio 47. The improvements thereon bein

91-389-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

> Date of Posting 4 25 91 Posted for:
> Petitioner: Richtman & Bonnit Cook. Location of property: 3506 MICHELS LANCE (SUBTRIO) KINGS CREMITED PUBLISHER 43, FELIC 47 LCT! 8 Location of Signer IN Front OF HOUSE BETWEEN CURBSSIDELINUS. FIRE HILLS & MANTEON Posted by C.S. The Carte Date of return:

Zoning Commisioner
County Office Building
111 West Chesapeake Avenue

Cashler Validation

Account: R-001-6150 Number

(1995年) 1997年 (1995年) 1997年 (1995年) TO PERMITTED THE STATE OF THE S THOSE MUSELMONE TOMAND A CONTRACT STREET NO. 1 NO. 1 NO. 1 NO. 1 NO. 1 füTAL: \$60.00 LAST NAME OF CUITA: DOWN

> 04A04#0037#ICHRC lease Make Checks Payable To: Baltimore County 04: 03FM04-03-91

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

May 1, 1991

111 West Chesapeake Avenue Towson, MD 21204

887-3353

Mr. & Mrs. Richard S. Cook 2506 Michels Lane Baltimore, MD 21234

> RE: Item No. 382, Case No. 91-389-A Petitioner: Richard S. Cook, et ux Petition for Residential Variance

Dear Mr. & Mrs. Cook:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

Enclosures

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Your petition has been received and accepted for filing this

J. ROBERT HAINES

Received By:

ZONING COMMISSIONER

111 West Chesapeake Avenue Towson, MD 21204

24th day of April, 1991.

Petitioner: Richard S. Cook, et ux

Petitioner's Attorney:

887-3353

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner

DATE: April 24, 1991

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: John Gwiazdowski, Item No. 377 Roland E. Hess, Item No. 356 Richard S. Cook, Item No. 382 Frank Limmer, Item No. 389 David C. Berg, Item No. 391 Marie E. Martin, Item No. 357 Steven G. Hipley, Item No. 374 David G. Rorison, Item No. 376 Timothy C. Seiss, Item No. 378 John Alban, Item No. 383

In reference to the following variance requests, staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

MULTI.ITM/ZAC1

Baltimore County Government Fire Department

700 East Joppa Road Suite 901 Towson, MD 21204-5500

(301) 887-4500

APRIL 24, 1991

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

RE: Property Owner: RICHARD S. COOK

#2506 MICHELS LANE Location:

Item No.: 382 Zoning Agenda: APRIL 23, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Fire Prevention Bureau Special Inspection Division

JK/KEK

Baltimore County Government

Department of Public Works Bureau of Traffic Engineering

Fax 887-5784

May 14, 1991

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

401 Bosley Avenue Suite 405

Towson, MD 21204

A.Z.C. Meeting Date: April 23, 1991

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 356, 377, 379, 382, 386, 388, 389, 390 and 391.

Very truly yours, Rahee J. Famili Traffic Engineer II

RJF/lab

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: April 26, 1991

Zoning Advisory Committee Meeting for April 23, 1991

the subject zoning items and we have no comments for Items 356, 377, 382, 386, 388, 389, 390 and 391.

For Item 379, this site must be submitted through the minor subdivision process for review and comments.

Dennis A. Kennedy: F.E., Acting Chief, Developers Engineering Division

11- 31- Att. - pt

FROM: Dennis A. Kennedy, P.E.

The Developers Engineering Division has reviewed

DAK:s

LIBER 6 0 2 9 PAGE 5 5 4

FEE SIMPLE DEED-TENANCY BY THE ENTIRETY.

FILE NO. 20674

331 -5-79 Z51638# *****9.00 RN -5-79 251638C2 *****9.00

ICHARD S. COOK and BONNIE F. COOK, his wife - - - - - - - - - - - -

in the State of Maryland, parties of the second part.

First Amended Plat of Kings Orchard, which plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K. Jr. 43 folio 47. The improvements thereon bein

Subject to pole and gas line agreement in Liber E.H.K. Jr. 5666 folio 192. Subject to building setback line, easements and endorsements as shown on the above referred to plat.

Being one of the lots of ground which by deed dated October 11, 1978, and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 5948 folio 380 was granted and conveyed by E.L.S. Enterprises, Inc. unto Gary L. Sperl, Inc. Gary L. Sperl, Inc. now being Sperl Homes, Inc. by change of corporate name filed with the Department of Assessments and Taxation for the State of Maryland on April 4, 1979.

Being also the same lot of ground which by deed dated April 25, 1979, and recorded among the aforesaid Land Records in Liber E.H.K. Jr. 6013 folio 805 was granted and conveyed by Gary L. Sperl, Inc. unto the within named grantees, but by inadvertance the Plat designation and reference thereto was erroneously set forth.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 2120 c

April 9, 1991

Richard S. Cook Bonnie F. Cook 2506 Michels Lane Baltimore, MD 21234

91-389-A

RE: Petition Filed in Zoning Office Item Number 382

Dear Petitioner:

This letter is to inform you that, due to a technical problem, your Petition for Residential Variance has not been placed on the agenda for the week of April 16, 1991. According to our records, this Petition was filed on April 3, 1991 with John R. Alexander.

In order for this Petition to be placed on the next agenda, you must contact John Alexander at 887-3391 to rectify the problem.

Zoning Commissioner

Plat to accompany Petition for Zoning Variance Special Hearing

91-389-A

MICHELS LA.

Scale of Drawing: 1'= 50'

PUTTY HILL

Vicinity Map

scale: 1'=1000'

LOCATION INFORMATION

SEWER: 🛛 🗌

Councilmanic District: 6

1'=200' scale map#: NE-8D

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

ITEM #:

Election District: 9

Zoning: DR 5.5 Lot size: 0.10 acreage

JRH:scj

PROPERTY ADDRESS: 2506 MICHELS LANE

Subdivision name: KINGS OF CHARD

plat book# 43, tolio# 47, lot# 8, section#______

OWNER: KICHARD & BONNIE COOK

date: 3/30/9/

prepared by: NXON

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 2120+

Mr. & Mrs. Richard S. Cook 2506 Michels Lane Baltimore, Maryland 21234

Re: CASE NUMBER: 91-389-A LOCATION: N/S Michels Lame, 25' E of c/l McKenna Court 2506 Michels Lane

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 1, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is May 16 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

> 3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

> > Very truly yours, (301) 887-3391

111 West Chesapeake Avenue Towson, MD 21204 ______ Mr. & Mrs. Richard S. Cook

Baltimore, Maryland 21234

Baltimore County Government

Zoning Commissioner

Office of Planning and Zoning

Re: CASE NUMBER: 91-389-A LOCATION: N/S Michels Lane, 25' E of c/l McKenna Court 2506 Michels Lane

Dear Petitioner(s):

2506 Michels Lane

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

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> > Very truly yours,

10 April, 1991

To Whom It May Concern,

I, Whit Mousse, understand that Richard and Bonnie Cook of 2506 Michels Lane, Baltimore (21234), are planning to build an addition onto the side of their house which will be visible from my house. I see no difficulty with their plans for the proposed addition and feel that it will only further improve the community.

> Sincerely, that Kethan

91-389-A







